CITY OF ROCHESTER, NEW YORK
Environmental Assessment for the Conversion of a Portion of Genesee Valley Park under the Land and Water Conservation Fund Act as a Result of the Brooks Landing Revitalization Project

3.0 AFFECTED ENVIRONMENT

3.1 Impact Topic Identification

Issues discussed in NEPA describe the relationships between the action being proposed and the environmental (natural, cultural and socioeconomic) resources. Issues describe an association or a link between the action and the resource. Issues are not the same as impacts, which include the intensity or results of those relationships. Issues help to identify impact topics to be used in an Environmental Assessment.

The impact topics analyzed in this report were developed by the City of Rochester in its review of the Brooks Landing Revitalization Project under the New York State Environmental Quality Review process. The impact topic selection and analysis of the project involved City staff from several various departments representing several disciplines (i.e. Zoning, Environmental Services, Conservation Board, Historic Preservation, etc.) and their consultants.

3.1.1 Impact Topics Addressed in this EA

Impact topics were addressed for the project through New York State's Environmental Quality Review Act (SEQRA) process. This included completion of the City of Rochester's Environmental Impact Assessment Long Form, which served as the basis for the City's Notice of Environmental Determination (included as Appendix B). Under SEQRA, the City determined that "the proposed action is one which will not have a significant effect on the environment". Impact topics with substantive content were included for analysis in this EA. The affected environment under each of the impact topics identified is presented later in this chapter. An analysis of the impacts on these resources from each alternative is evaluated in Chapter 4.

3.1.1.1 Land

The project will change topographic and man-made features of the project site. The land use for the Brooks Landing site will be changed. This EA will examine any potential impacts to land features and land use resulting from the project.

The area zoning, illustrated in Figure 3, is Open Space (O-S) and Commercial (C-2). However, a zoning change has been proposed to Open Space (O-S), Neighborhood Commercial (C-1) and Riverfront Commercial (C-2) as part of the Brooks Landing Urban Renewal District formation. Sub-Area I will be O-S and C-2.

3.1.1.2 Water

The Brooks Landing site and the replacement parcel are located along the west bank of the Genesee River. The Brooks Landing project includes construction of a waterfront facility partially within the floodplain of the river. Federal Agencies must comply with the requirements of Executive Order (EO) 11988, Floodplain Management.

Wetlands are often associated with floodplains, and federal agencies are required to comply with the requirements of EO 11990, Protection of Wetlands, along with provisions of the Clean Water Act. Also, stormwater runoff during construction and as a result of the changes in land use could impact the water quality of the river. This EA will evaluate potential adverse impacts to these resources.

3.1.1.3 Air

The 1963 Clean Air Act (42 USC 7401 et seq., as amended) requires federal land managers to have an affirmative responsibility to protect air quality from adverse air pollution impacts.

3.1.1.4 Plants and Animals

EO 13112 requires that federal agencies act to prevent the introduction of invasive species and provide for their control and to minimize the economic, ecological, and human health impacts that invasive species cause. Also, the Endangered Species Act of 1973, as amended, requires federal land managers to consider the effects their planned activities may have on species listed as endangered or threatened. Besides the potential for impacts to such species, this EA will evaluate the potential for adverse impacts to vegetation, wildlife and wildlife habitat as a result of the project alternatives.

3.1.1.5 Aesthetic Resources

The proposed project will alter the views in the Brooks Landing area. This EA will identify the aesthetic resources in the project area and evaluate the potential for impacts to these views.

3.1.1.6 Historic and Archaeological Resources

The National Historic Preservation Act and the National Park Service (NPS) Cultural Resource Management Guidelines (NPS 1997) and Policies (Director's Order 28) require the consideration of impacts on cultural resources listed on or eligible for listing on the National Register of Historic Places. This EA will identify such resources in the project area and evaluate the potential for impacts to them.

3.1.1.7 Open Space and Recreation

The use of open space, and in particular, the conversion of parkland is the focal point of the NPS action in this project. The potential impacts resulting from the use of open space and the conversion of parkland will be evaluated in this EA.

3.1.1.8 Transportation

A key aspect of the built environment in the Brooks Landing area is the system of transportation facilities serving the project and the immediate area. The project would make changes to this system, and the potential impact resulting from these changes will be evaluated.

3.1.1.9 Energy

One requirement in the CEQ regulations is an evaluation of energy requirements and conservation potential (1502.16), which will be accomplished in this EA.

3.1.1.10 Noise and Odor

Topics of concern identified in the SEQRA EAF and carried over into this EA are those of noise and odors that may result from the project. This EA will evaluate the potential for impact under both of these topics.

3.1.1.11 Public Health

The City of Rochester, the State of New and the National Park Service endeavor to provide a healthful and safe environment to the citizens in the area. Also, the requirements of EO 12898, "Environmental Justice in Minority and Low-Income Populations," directs federal agencies to assess whether their actions have disproportionately high and adverse human health or environmental effects on minority and low-income populations. This EA will evaluate the potential for such impacts.

3.1.1.12 Growth and Community Character

Section 102 of NEPA mandates that before federal agencies make decisions, they must consider the effects of their actions on the quality of the human environment. Potential social and economic impacts resulting from the project not discussed under other impact topics of this EA will be evaluated here.

3.1.2 Impact Topics Identified and Considered But Not Addressed in this EA

Several issues and impact topics were considered because they were potentially problematic, but after further thought were determined not to be relevant. The following issues and impact topics were not considered further in this document.

3.1.2.1 Prime Farmlands

The Federal Farmland Protection Policy Act (FPPA) of 1987 requires federal agencies to consider the adverse effects their programs may have on the preservation of farmland, review alternatives that could lessen adverse effects, and ensure that their programs are compatible with private, local and state programs and policies to protect farmland. Since neither the Brooks

Landing area nor the replacement parcel is located on agricultural land, there will be no further discussion of this subject in this EA.

3.1.2.2 Wild and Scenic Rivers

Section 5(d) of the National Wild and Scenic Rivers Act (16 U.S.C. 1271-1287) requires that "In all planning for the use and development of water and related land resources, consideration shall be given by all federal agencies involved to potential national wild, scenic and recreational river areas." The Genesee River in this area is not designated as a Wild and Scenic River, nor is it designated as part of the Nationwide Rivers Inventory. As such, no further evaluation was conducted under this topic.

3.1.2.3 Sole or Principal Drinking Water Aquifers

The project site is not located within the limits of a designated US Environmental Protection Agency Sole Source Aquifer. Therefore, no further processing is required under the Safe Drinking Water Act of 1974.

3.2 Description of the Affected Environment

3.2.1 Land

Conversion Parcel

The overall topography in the Brooks Landing area is that of a shallow valley that slopes gradually towards the river (Figure 50). The area is comprised of a series of level terraces that descend from Genesee Street down towards the river. The residences along the east side of Genesee Street occur at the highest elevation. At the rear of their properties, the land drops to the second level, the former canal/railroad bed. East of this terrace, the land drops again to the park and South Plymouth Avenue elevation. East of the South Plymouth Avenue sidewalk/Genesee Riverway Trail is a narrow riverbank that slopes down to the river. North of South Plymouth Avenue the land gently rises from east to west. Immediately south of the project area within Genesee Valley Park West, the ground is level and contains baseball fields.

The entire Brooks Landing Urban Renewal District (Exhibit A, Appendix D) occurs in a pre-disturbed and pre-developed area. Much of the area exhibits characteristics of previous development and grading activities, specifically grading necessary to accommodate the former Genesee Valley Canal and later a railroad, the city street system and utilities, commercial and residential buildings, parking lots, and a masonry wall along the Genesee River.

The portion of affected 6(f) parkland combined with adjacent open space includes approximately 180 feet of width between the rear of the existing private properties along Genesee Street and the Genesee River. Within these 180 feet, the following excavated and constructed infrastructure components have run or currently run through the entire combined area of 6(f) parkland to be converted and adjacent open space:

- 95-foot wide abandoned freight railroad bed (current)

- 54-inch diameter buried force main sewer line with easement owned by Monroe County Pure Waters (current)
- A buried fiber-optics utility line adjacent to the 54-inch force main (current)
- An original vehicular right-of-way adjacent to the Genesee River
- Passenger rail line along the original vehicular right-of-way and east of the freight railroad bed
- 5-foot wide paved sidewalk adjacent to the west side of the existing vehicular right-of-way (current)
- 40-foot wide reconfigured paved and curbed vehicular right-of-way (park road) with storm sewers through the site (current)
- 12-inch diameter buried gas main utility line along and between the 54-inch force main sewer line and the vehicular right-of-way (current)
- 4-inch buried watermain (current)
- Underground electric utilities (current)
- 24-inch diameter gravity sanitary sewer main (current)
- 10-foot wide paved path between the existing vehicular right-of-way and the Genesee River

The USGS Soils Map for Monroe County (Figure 16) indicates this soil as Ub, Urban Land, or soils that have been so altered or obscured by urban works and structures that identification of the soils is not feasible. The depth of soil to bedrock at the location of the hotel and restaurant is shallow. On average, the depth is 10 feet between grade and bedrock. Soil test borings taken at this location indicate that up to 8 feet of this soil has been imported. A submittal dated December 15, 2003 from Sear-Brown includes mapping of the results of test borings, utilities and other subsurface features on the site (see Appendix F). Contaminated soil and groundwater have been detected within Sub-Area I of the Brooks Landing Urban Renewal District. This is discussed in Section 3.2.11, Public Health.

Together with this relatively narrow extension of Genesee Valley Park West, the adjacent abandoned freight railroad bed has created a combined stretch of City-owned land hosting vehicular traffic and a three-way signalized intersection. At this location, there is no visible distinction between parkland and city-owned property.

Features and land use in the vicinity of the project area include:

- A dense neighborhood (the 19th Ward) west of the project area. Houses range from one story cottages to large stately mansions and are in varying degrees of condition.
- The University of Rochester campus and Bausch and Lomb Riverside Park/Wilson Boulevard is across the river to the east. There is a pedestrian bridge where Brooks Avenue and Plymouth Avenue meet that connects to Wilson Boulevard.
- Commercial buildings to the north along Genesee Street and South Plymouth Avenue are primarily from the mid-twentieth century. Many are empty or in poor condition.

- A large 12-story senior citizen's apartment building called Plymouth Gardens to the north of the Brooks/South Plymouth intersection
- The Elmwood Avenue bridge.

Sub-Area II is currently developed land (with and without structures) fronting Genesee Street as well as on approximately 0.9 acres of former canal/railroad right-of-way. The area is relatively level and well-graded with no unique or unusual landforms. Sub-Area III is currently developed land (with and without structures) fronting Genesee Street.

Replacement Parcel
The area of the proposed replacement parcel is comprised of approximately 19.5 acres of undeveloped river shoreline. The area includes approximately 3.1 acres of steep vegetated slopes and 16.4 acres of emergent wetlands/open water along 3,000 linear feet of shoreline.

3.2.2 Water

Conversion Parcel
The main water feature in the project is the Genesee River, which, in this area, has remained in relatively the same alignment throughout recorded history. The Erie Canal crosses the Genesee River within Genesee Valley Park upstream from the Elmwood Avenue Bridge. The section of river from the Erie Canal north to the Court Street Dam, is also classified as part of the Erie Canal system. Red Creek feeds into the Erie Canal just east of the junction of the river and canal. The Genesee River flows north through downtown Rochester, and flows past the replacement parcel prior to its confluence with Lake Ontario.

The New York State Department of Environmental Conservation (NYSDEC) stream classification for the Genesee River at Brooks Landing and along the replacement parcel is Class B, Fresh Surface Waters. As contained in 6 NYCRR, Chapter X, Part 701, the best use of Class B waters are primary and secondary contact recreation and fishing. These waters shall be suitable for fish propagation and survival.

Along the Genesee River, the bank at the Brooks Landing site is a retaining wall originally constructed as a dam abutment on the river. The wall that remains today has received several modifications. Around 1920, the Canal Corporation constructed an approximately 200-foot long section of new concrete gravity-type retaining wall riverside of a portion of the stone masonry wall. At approximately the same period, the City of Rochester raised the top elevation of the wall by approximately 2½ feet through the use of a cast-in-place concrete cap. The new concrete wall section and the raising of the existing wall appear to have been performed as a means to accomplish raising the elevation of South Plymouth Avenue. Finally, in the early 1990's, the wall received minor modifications to receive a new continuous handrail for the Riverway trail system improvements.

Wetlands. - Wetlands are often associated with floodplains, and federal agencies are required to comply with the requirements of EO 11990, Protection of Wetlands, along with provisions of the Clean Water Act. The National Wetland Inventory (NWI) maps created by the United States Department of the Interior, show the river along Brooks Landing as R2OWH (Figure 18). The interpretation of this symbol is:

R - Riverine
2 - Lower Perennial
OW - Open Water – unknown bottom
H - Permanent

The areas mapped on the NWI maps constitute wetland areas for the purpose of Director's Order #77-1: Wetland Protection (see Section 4.2). For the U.S. Army Corps of Engineers classification system, this particular wetland designation for the Genesee River would not be a Federal-jurisdictional wetland. Site review of this site revealed no evidence of federal jurisdictional wetlands within the project area.

There are no NYSDEC designated freshwater wetlands within or adjacent to the project area near the conversion parcel (Figure 17).

In Sub-Area I, the existing drainage currently consists of overland flow with storm sewer collection associated with South Plymouth Avenue, which discharges into the Genesee River at various points. Currently, all of the salt, oil, sediment and pollutants collected by the storm sewers are discharged without treatment directly into the river.

In Sub-Areas II and III, the existing drainage currently consists of overland flow to the City tunnel system, which is treated before discharge.

Flood Plain. - The existing conditions 100-year flood boundary and the floodway for the Genesee River at the Brooks Landing is the same for all practical purposes, and is plotted on the Flood Insurance Rate Maps in Figure 19, and is defined by:

1. U.S. Department of Housing and Urban Development Flood Insurance Study, City of Rochester, New York, Monroe County, May 1978; and,

2. U.S. Department of Housing and Urban Development National Flood Insurance Program Flood Boundary and Floodway Map, City of Rochester, New York, Monroe County, May 1978.

The Genesee River has the following characteristics based on Table 1- Summary of Discharges, Page 14 of the City of Rochester Flood Insurance Study (FIS) (U.S. Department of Housing and Urban Development, 1978a).

City of Rochester Flood Insurance Study (FIS) Peak Discharges

Flooding Source and Location	Drainage Area	Peak Discharges			
		10-Year	50-Year	100-Year	500-Year
Genesee River					
At Mouth	2,467 sq. mi.	23,370 cfs	23,370 cfs	23,370 cfs	23,370 cfs
Downstream of Black Creek	2,399 sq. mi	22,521 cfs	27,969 cfs	30,378 cfs	36,483 cfs

Using the City of Rochester FIS, the following peak discharges and flood elevations were obtained at both Brooks Landing and the replacement parcel. The corresponding peak flood elevations were converted from NGVD 1929 to City/Barge Canal datum (BCD), by adding 1.08 ft. to the FIS elevations:

Site Peak Discharges and Peak Elevations (BCD)

Flooding Source and Location	Drainage Area	Peak Discharges			
		10-Year	50-Year	100-Year	500-Year
Genesee River @ Turning Point Park	2,467 sq. mi. (approx)	23,379 cfs (249.6 ft)	29,030 cfs (250.1 ft.)	31,516 cfs (250.6 ft)	37,924 cfs (251.1 ft.)
Brooks Landing	2,399 sq. mi. (approx.)	22,521 cfs (515.1 ft.)	27,969 cfs (516.6 ft.)	30,378 cfs (517.6 ft.)	36,483 cfs (519.1 ft.)

The Brooks Landing site is located near the downstream end of the Genesee River, a 2,467 square mile watershed that contains a large flood control dam at Mt. Morris, NY. This flood control dam, owned and operated by the US Army Corps of Engineers, has not only reduced flood levels significantly since its construction in 1952, but in combination with NOAA precipitation gages and USGS gaging station flow and elevation data, enables the National Weather Service to issue reliable predictions of peak elevations and associated peak times for flood events. The Genesee River at the site is not subject to significant water level fluctuations, but rather is subject to broad flood peaks that can be predicted well in advance. The dam and reporting systems already in place will effectively reduce any residual risk.

The proposed Brooks Landing project is located adjacent to or within the 100 year flood plain and the floodway, and is thus defined as a potential lateral encroachment. The design of lateral encroachments must comply with EO 11988 and NYCRR Part 502 regulations. EO 11988, dated May 24, 1977, requires each Federal agency, in carrying out its activities, to take action to reduce the risk of flood loss, minimize the impacts of floods, restore and preserve the natural and beneficial values served by floodplains, and evaluate the potential effects of any actions it may take in the floodplain so as to ensure its planning programs reflect considerations of flood hazards and flood plain management.

New York State's Part 502 regulations are implemented to ensure that the use of State owned lands and the siting, construction, administration and disposition of State-owned and State-financed facilities are conducted in ways that will minimize flood hazards and losses. State and Federal regulations regarding floodplains also cite the need for compliance with the National Flood Insurance Program (NFIP), which the City of Rochester is enrolled in. Failure on the part of the City to comply with the provisions of the NFIP, which are a part of the City's Zoning Code, could result in the City being expelled from the NFIP.

Replacement Parcel

The replacement parcel is located adjacent to an enlargement of the Genesee River that formerly functioned as a turning basin for cargo ships from Lake Ontario to the north. There are two large

cylindrical concrete fenders (dolphin moors) in the Genesee River to the south of the parcel that were constructed in 1962 by the U.S. Army Corps of Engineers.

Wetlands. - Wetlands are often associated with floodplains, and federal agencies are required to comply with the requirements of EO 11990, Protection of Wetlands, along with provisions of the Clean Water Act. There is a NYSDEC designated freshwater wetland area (RH-9) located adjacent to and within the replacement parcel (Figure 52). It is a Class 2 Wetland. It will not be impacted by the project. Therefore, there are no requirements for permitting with regard to State wetlands.

The NWI maps (Figure 53) indicate wetlands in an area substantially contiguous with the state wetland mapping at the replacement parcel. They are classified as PEM5F and R2EM2G, which mean:

P - Palustrine
EM - Emergent
5 - Narrow-leaved persistent
F - Semipermanent

and

R - Riverine
2 - Lower Perennial
EM - Emergent
2 - Nonpersistent
G - Intermittently Exposed

The open water portion of the replacement parcel is classified as R2OWH (see above).

Within the replacement parcel, drainage consists of natural overland flow into the Genesee River.

Flood Plain. - The existing conditions 100-year flood boundary and the floodway for the Genesee River at the replacement parcel is the same for all practical purposes, and is plotted on the Flood Insurance Rate Maps in Figure 54.

At the replacement parcel, the peak elevations are controlled by the Lake Ontario water surface, and essentially equal to the 10-, 50-, 100- and 500-year peak elevations for Lake Ontario. The replacement parcel is located at Mile 2.0, between cross-sections N and O. At cross-section N (Mile 1.92), the floodway width is 450 ft. and mean floodway velocity is 4.3 ft/sec. At cross-section O (Mile 2.10), the floodway width is 732 ft. and mean floodway velocity is 4.7 ft./sec. Base flood (100-year) elevations are the same for with and without floodway conditions, meaning that the floodway encroachments do not cause an increase in water surface elevation.

In addition, all existing lands on the river side of the existing floodwall at Brooks Landing are shown on the FIS maps to be located within the floodway. The 6(f) conversion parcel is not located in the floodway, but small portions of that parcel associated with the stormwater catch basins on South Plymouth Avenue are within the 100-year floodplain. (see Figure 50).

The proposed replacement parcel is located adjacent to or within the 100 year flood plain and the floodway, and is thus defined as a potential lateral encroachment. The design of lateral encroachments must comply with EO 11988 and NYCRR Part 502 regulations. EO 11988, dated May 24, 1977, requires each Federal agency, in carrying out its activities, to take action to reduce the risk of flood loss, minimize the impacts of floods, restore and preserve the natural and beneficial values served by floodplains, and evaluate the potential effects of any actions it may take in the floodplain so as to ensure its planning programs reflect considerations of flood hazards and flood plain management.

3.2.3 Air

Monroe County is currently an air quality attainment area in accordance with the National Ambient Air Quality Standards (NAAQS). Attainment areas are those geographic regions that meet the health-based NAAQS for particulate matter (PM_{10}), carbon monoxide (CO), and ozone (O_3).

3.2.4 Plants and Animals

Conversion Parcel

The narrow bank (between the river wall and fluctuating shore line of the river) of the Genesee River at Brooks Landing is partially vegetated with trees and shrubs south of the Brooks Avenue/South Plymouth Avenue intersection. North of the intersection, the bank is clear of mature vegetation and affords views up and down the river corridor. (The pedestrian bridge and access ramp occupy a portion of the river's edge north of the Brooks/Plymouth intersection). The slope at the western edge of the project area adjacent to the rear of the properties fronting Genesee Street, is vegetated with trees and large shrubs and provides an effective screen for the residences to the west. The slope at the eastern edge of the former canal bed is also vegetated with trees and shrub understory. No vegetation other than lawn area exists within the former canal/railroad bed. The flanking vegetation clearly defines the edges of the canal bed within the proposed Urban Renewal District boundary.

A stand of mature trees with lawn understory occurs on the north side of Brooks Avenue just east of Genesee Street. This grove (not within the project or urban renewal district boundary) provides an effective buffer/screening of the lower portion of the Plymouth Gardens high rise building to the north. This vegetation serves as an abrupt transition from the developed intersection/South Plymouth Avenue corridor to parkland. South of Brooks Avenue, several mature trees exist within the lawn area (the conversion parcel, see Figure 50) that mark the northerly entrance into Genesee Valley Park West.

The New York State Department of Environmental Conservation (NYSDEC) Wildlife Resources Center Natural Heritage Program was contacted regarding the presence of significant habitat areas and endangered and threatened species. In a letter dated February 3, 2003, (Appendix G) the Division of Environmental Permits, Region 8 responded that the project location was screened using the information in the NYSDEC's Master Habitat Databank (MHDB), which contains a database of information on New York State's rare, threatened, and endangered fish, wildlife (including invertebrates) and plants and rare or exemplary natural communities managed

by the New York Natural Heritage Program. The Natural Heritage Program database included two occurrences in the vicinity of the project as shown on Table 3-1.

Table 3-1. Listings from the New York Natural Heritage Program Database

Common Name	Scientific Name	Status	Last Observed	Location
American Burying Beetle	*Nicrophorus americanus*	Endangered	No Date	Rochester
Northern Wild Comfrey	*Cynoglossum virginianum* var. *boreale*	Endangered	1881	Rochester

A NYSDEC American Burying Beetle Fact Sheet[1] indicates this beetle is also a federally-listed Endangered Species and is considered extirpated from New York. According to the literature, the beetle seems to be largely restricted to areas most undisturbed by human influence. Therefore, it is not considered likely to find this species in the developed and urbanized surroundings of the Brooks Landing project area.

According to the New England Plant Conservation Program Conservation and Research Plan for Northern Wild Comfrey, this species is an understory herb that occurs primarily in transient and disturbed areas of upland forests with mesic, calcareous soils. It goes on to state that Northern Wild Comfrey populations tend to grow in shallow, calcareous soils, in mid-successional cedar/hemlock/hardwood forests. Plants are often found in very rocky soils or on steep slopes and tend to grow in tree-fall gaps, none of which occur on the Brooks Landing site.

The Nature Conservatory ranking indicates that it is a widespread species, abundant, and apparently secure, though it may be quite rare in parts of its range, especially at the periphery, including New York. According to the Rare Plant Status List for New York State, its occurrence for Monroe County is listed as probable. The last documented observation in Monroe County was in 1881, according to the New York State Department of Environmental Conservation.

The New England Plant Conservation Program Conservation and Research Plan also note that Northern Wild Comfrey does not reproduce clonally, but is dependent on animals to disperse their seeds (seeds are covered in bristles that attach to animals) to suitable habitat. It also notes that seeds are few and large, and may not last long in the soil seed bank. Given that, in addition to the developed and urbanized surroundings of the project site, it seems highly unlikely that Northern Wild Comfrey would exist on site if it has not been continually present.

The National Marine Fisheries Service and the United States Department of the Interior Fish and Wildlife Service were also contacted regarding the possible presence of threatened and endangered species and habitat areas. The National Marine Fisheries Service responded that there are no endangered or threatened species in the upland project area (Appendix G). The Fish and Wildlife Service replied (Appendix G) that no federally listed or proposed endangered or threatened species under their jurisdiction are known to exist in the project impact area. In

[1] http://www.dec.state.ny.us/website/dfwmr/wildlife/endspec/abbefs.html.

addition, no habitat in the impact area is currently designated or proposed 'critical habitat' in accordance with the Endangered Species Act.

The project site lies adjacent to the Genesee River and is bounded by urban arterials and developed areas on the remaining three sides. Typical urban wildlife may be present in the area, including various bird species, squirrels, and likely the occasional raccoon, opossum, skunk, rabbit and smaller rodents.

Sub-Areas II and III are more developed than Sub-Area I, with minimal vegetation and wildlife potential.

Replacement Parcel

The replacement parcel includes emergent and open water wetland habitat and steep-sloped wooded habitat comprised primarily of oaks, maple and ash. The wooded area is part of the wooded Genesee River gorge that consists of a relatively undeveloped corridor along the river within a surrounding urban environment. It is also within a coastal boundary where it has been designated by the NYSDEC as a Significant Coastal Fish & Wildlife Habitat area. Wildlife likely in the wooded area includes raccoon, rabbit, fox, coyote, striped skunk, woodchuck, field rodents, weasels and whitetail deer, wild turkey, and various other woodland and prey bird species. Wildlife in the wetland areas includes muskrat, mink and various reptiles and amphibians.

The river in this area supports a warm water fishery along with spring and fall salmonid populations. Warm water species typically include black bass, common carp, and northern pike.

In an Environmental Assessment (EA) for the Genesee Riverway Trail Project, the NYSDEC Wildlife Resources Center Natural Heritage Program was contacted regarding the presence of significant habitat areas and endangered and threatened species. In a letter dated August 7, 2002, three historical occurrences of rare vegetation were reported. A field investigation of probable habitat conducted on October 8, 2002 did not identify the presence of any of the species (Sear-Brown, 2004)

The National Marine Fisheries Service and the United States Department of the Interior Fish and Wildlife Service were also contacted regarding the possible presence of threatened and endangered species and habitat areas in the vicinity of the replacement parcel. The National Marine Fisheries Service responded on December 8, 2003 that there are no endangered or threatened species under their jurisdiction in the immediate area. The Fish and Wildlife Service replied on August 13, 2002 that no federally listed or proposed endangered or threatened species under their jurisdiction are known to exist in the project impact area. In addition, no habitat in the impact area is currently designated or proposed 'critical habitat' in accordance with the Endangered Species Act (Sear-Brown, 2004).

3.2.5 Aesthetic Resources

Conversion Parcel

The Brooks Landing project site occurs south and west of the center city (Figures ES-1 and 1). It is bounded by the Genesee River to its east, Genesee Valley Park West and Elmwood Avenue to the south, and the Brooks/Genesee commercial and residential neighborhood to the north and west. It is the urbanized center of an established residential neighborhood.

Figure 20 is a panoramic view of the project site from the east side of the river (University of Rochester side). This view of the west river bank extends from Plymouth Gardens on the north to well beyond Grandview Terrace to the south. As noted on Figure 20, the major features such as the intersection of Brooks/Plymouth Avenues and Grandview Terrace are labeled for reference. The restaurant and hotel will occur north of Grandview Terrace. The boat landing will occupy a portion of the actual river bank as shown. The riverbank vegetation north and south of the boat landing will remain as a buffer between the river shore and the proposed development (see also plan view, Figures 4 and 49).

The 1.38-acre conversion parcel and adjacent ROW/open space support level-terraced lawn areas with mature trees and slopes. A shrub-vegetated upward slope separates the conversion parcel from the former canal/railroad ROW (Figure 50). The rear yards of residences that front on Genesee Street back up to this ROW and sit at a higher elevation (approximately 15'-20') than the river. Views from the residences to the river are screened by existing vegetation. Due to the trees and landform in this area, views are limited to north-south views of South Plymouth Avenue and the park and to a lesser degree northeast-southeast filtered vistas of the river corridor. Buildings along Genesee Street and Brooks Avenue are generally screened from view. The most visually prominent structure within this area is the high-rise senior apartment building just north of the project site. In areas where the shoreline vegetation is low or thin, filtered views of the river, pedestrian bridge, and the University of Rochester campus exist.

From the Genesee/Brooks commercial area, views of the river are only possible immediately at the intersection. Structures and/or vegetation block all other views to the river corridor. The structures that make up the commercial area of the Brooks/Genesee intersection have a run-down appearance attributable to the economic decline that has occurred for several years. Although the siting and architectural style of some of the structures may be of interest, the general disrepair and deterioration of the buildings does not positively contribute to the visual resources of the area.

Replacement Parcel

Due to significant topographical elevational ranges, the replacement parcel offers spectacular views from the higher levels of the river gorge, the northern river corridor and the turning basin (Appendix L). Views from the river's edge include the steep wooded slopes, the wetland area in the turning basin, along with old docks, boat slips and bulkheads reminiscent of the turning basin's past use as an industrial site.

3.2.6 Historic and Archaeological Resources

Conversion Parcel

A Cultural Resources Report was prepared in April 2003 (Appendix H) to document the key features in the landscape that are crucial to the historic integrity of the Brooks Landing area. Following a review of the rich history of the area, the report includes an inventory and analysis of site features and identifies "character-defining features" as defined in the *Secretary of the Interior's Standards for the Treatment of Historic Properties* (1966) under the categories of circulation, natural systems, water features, surroundings, vegetation and structures as follows:

Circulation

- The Genesee River is undoubtedly the most significant feature of this area. The formation of the Pinnacle Range created a large sweeping bend in the river. This bend, in conjunction with the shallow waters in the rapids area, influenced the location of the Indian trail crossing. The trail crossroads also promoted a place for trading and camping. During the Settlement Era the rapids reinforced this area as a place to stop. Those moving goods down the river towards Rochester were forced to unload boats before reaching the treacherous shallow waters. During the Development Era a multitude of transportation routes and means came and went through this area. From canals and railroads, to roads, trolleys lines, bus routes and airports, the constant has been the river.
- Brooks Avenue, Genesee Street and South Plymouth Avenue all have significance in that they follow the general path of historic Indian trails. They define the approach that people have taken to and from the project area since early history.
- Because of Olmsted's reputation for masterfully designed parks, and because of the significant impact that the Genesee Valley Park made (and makes) upon its surroundings, the integrity of the original park plan should be considered as character-defining.
- The most evident existing artifact of the canal and railroad through the project area is the path of the Genesee Valley Canal/Railroad. Although by its completion the aspirations for the canal to be a major north-south transportation route were overshadowed by the progress of railroads, it stands as a record of both historical modes of transportation.
- The Old State Dam and the feeder canal also have historical significance. Neither was located within the boundary of the project area, but there are remains of a retaining wall associated with the dam along the river bank within Subarea I. Previous treatments around this wall have been sensitive to mitigating its disturbance.

Natural Systems

- In addition to the Genesee River, the glacier-formed Pinnacle Range is a land feature that has impacted the project area throughout history. Its peak to the east, at Cobbs Hill, is the highest point in Rochester. Its western end submerges into the Genesee River across the river from the project area. Views of this land feature are character defining. Susan B. Anthony, as a young girl, is documented as describing this view down what is now Brooks Avenue.
- The topography of the project area can also be considered as character-defining. The level terrace areas descending to the river have existed throughout recorded history and have each had an associated use distinct from each other (the upper level - residences; mid-level - canal

and later railroad; lower level – vehicular and pedestrian circulation). In addition, the topography provides a distinct spatial definition for the area.

Water Features

- As noted above, the Genesee River's configuration is a significant character-defining feature.

Surroundings

- Located on Congress Avenue, west of the project area, the Rapids Cemetery has headstones that date back to the early 19th Century. The two-acre plot was set aside by Wadsworth in the early settlement of the Rapids (the former name of the Brooks/Plymouth area). Placed upon a slight hill, there still exists a nice view of the Genesee Baptist Church steeple on Brooks Avenue. Although many of the headstones are missing or have been destroyed, it marks a significant historic period of the neighborhood. Though not within the project boundary, it is tied to the historical development of the project area.
- The existing Genesee Baptist Church is located just west of the project area on Brooks Avenue. Originally called the Rapids Baptist Church, it was built in 1845 and was founded by Otis Turner. It is documented that this church was established to mission to the "particularly bad" people of the Castletown settlement (the pre-Rapids name of this settlement area on the river). This building is significant in its historical and architectural value, and it should be considered a character-defining feature.
- The University of Rochester was established circa 1850. The land of the current campus was obtained from a swap agreement with Oak Hill Country Club arranged by George Eastman in 1925 at which time it was relocated to its current location on the river. Located at the tip of the Pinnacle Range, the Genesee River sweeps around the western edge of campus. A handful of buildings existed on the site until the campus plan was implemented in the 1920's. The plan consisted of a formal configuration with buildings flanking a mall. The centerpiece was the Rush Rhees Library. Its tower still remains to this day the major focal point of the campus and surrounding area, and the icon of the university. The campus is a character-defining feature for its architecture and its cultural contributions.
- The Olmsted-designed Genesee Valley Park is a major cultural resource to the neighborhood and the city. Since its conception in 1888, this picturesque park has been a popular destination for residents and visitors seeking recreation and relaxation.

Vegetation

- The vegetation and lawn areas immediately adjacent to and within the project area contributes to the park setting and Olmsted character of this section of Genesee Valley Park. Although not original to the early park plans (this part of the park was added in the 1930's), this area blends seamlessly with the original park by virtue of the mature vegetation and maintained lawn areas.

Structures

- While none of the buildings within the boundary of the project area have any known documented historical significance, there is record of structures in this area from city plat maps. It is noteworthy that at one point in the 19th century there were up to five hotels in the vicinity in and around Subarea I.

- Subareas II and III contain existing commercial buildings on Genesee Street near Brooks Avenue. The history and age of these buildings is undocumented by the local historical society. Most of these buildings are in serious disrepair. The most architecturally significant building within the project area is located on the northwest corner of Genesee Street and Brooks Avenue. It is a two story brick building from the early 20th century. It is significant primarily by virtue of its corner location, by its details, and because it is part of a continuum of similarly scaled and detailed commercial buildings that flank Genesee Street to the north.
- The existing river wall in the vicinity of the project area is also character-defining. The river wall appears to be a remnant of the Old State Dam that occurred in this section of the river and appears in the early (1889-1893) Olmsted plans for the park.

The cultural themes of the river, transportation and recreation were also identified in the Cultural Resources Report.

The proposed development will occur on lands adjacent to the Genesee River and on lands of the former Genesee Valley Canal, and, later, a railroad right-of-way. The Genesee Valley Canal's precise limits and extent have not been investigated at this time. It does not appear that there are any known canal structures (locks, weirs, etc.). The New York State Office of Parks, Recreation, and Historic Preservation in its role as the State Historic Preservation Office (SHPO) has determined that the New York State Canal System, all public and private predecessor canals, and all extant remains are eligible for inclusion on the National Register of Historic Places.

The 1.38 acre conversion parcel is located in Genesee Valley Park. During the period of the early Genesee Valley Park, the conversion parcel site consisted of privately owned, developed parcels that eventually were acquired, demolished and included into the park boundary at a later date. Figure 23, from the 1910 City of Rochester Atlas, supports the fact that development historically occurred on the conversion parcel. Based on additional historic map resources, it appears that the buildings were removed sometime between 1910 and 1918, about the time when the land forming Sub-Area I was put into the park system.

The 1926 Plat Book of Rochester, published by Hopkins Co., indicates that by 1926 the project site was included as part of Genesee Valley Park (Figure 23). Research into the Olmsted Archives resulted in several maps spanning from 1889 to 1912 dealing with the park area north of Elmwood Avenue. Figures 24 through 30 show designed improvements north of Elmwood Avenue that terminate south of the project site. Figure 28 is a record map from the Olmsted Archives, dated 1912, that was developed for the addition of the Barge Canal through the park. The Brooks Landing project boundary has been overlaid onto a copy of this map to illustrate the relationship of the proposed project to the historic park plans (Figure 31).

In a letter dated August 14, 2003, the SHPO determined that the Genesee Valley Park is eligible for inclusion on the National Register of Historic Places. The SHPO further stated its opinion that Sub-Area I contributes to the Park's significance, even though it was not originally part of the Park because,

> *. . . the Olmsted design for the Rochester Municipal Park System did not remain unaltered, but instead provided the groundwork for subsequent development by*

the City during the Reform Park Era and other twentieth-century movements that reflected a shift in philosophy regarding the design and function of public parks. For historic preservation and environmental review purposes, the contributing components of Genesee Valley Park and the Municipal Park System of Rochester, New York include all pre-1951 features, whether designed by the Olmsted firm or implemented by the City in subsequent renovation and expansion campaigns.

The park also contributes to the setting of the University of Rochester's River Campus, which is eligible for inclusion on the National Register of Historic Places.

Areas of recent disturbance would preclude the existence of archaeological resources of any value. The area within the approximately 180 feet of width (conversion parcel and adjacent canal/railroad right-of-way) between the existing private properties and the Genesee River includes a number of documented utilities (see Section 3.2.1 Land). A report dated December 15, 2003 from Sear-Brown (Appendix F) includes Figure 32 along with mapping of other disturbances and utilities on the site that documents previous disturbances. Figure 48 depicts the 54-inch diameter force main and 24-inch diameter sanitary sewer profiles that occur within the former canal bed. This drawing illustrates that the installed depth of the sanitary mains exceed the bottom of the former Canal prism.

In Sub-Areas II and III, the structures that are more than 50 years old are documented in a Structural Archeological Assessment included as Appendix I. This includes the list of properties and photographs of each. Because of the prior development, there are no archaeological resources anticipated in these sub-areas.

Replacement Parcel

Much of the wooded plateau area situated above the turning basin of the river was utilized in the latter half of the 19th and early 20th centuries as railroad sidings, as evidenced by the several valleys and berms present in the landscape. The area all along the Genesee River in the vicinity of the replacement parcel is considered to be an archeologically sensitive area due to the attraction of the Genesee River. There is little likelihood of finding cultural artifacts in most of the site due to steep slopes and wetland areas. In an Environmental Assessment (EA) for the Genesee Riverway Trail Project, Phase 1A and 1B Cultural Resource Surveys were done for that project, which includes the replacement parcel. There were no known cultural resources in or eligible for the National Register of Historic Places impacted by that project (Sear-Brown), 2004).

3.2.7 Open Space and Recreation

Conversion Parcel

Frederick Law Olmsted designed what became Genesee Valley Park around 1888. In the early 1920's, an area of former hotel sites just south of the Brooks/South Plymouth intersection became dedicated parkland, and became an extension of Genesee Valley Park West.

Approximately 1.38 acres of dedicated 6(f) parkland (part of Genesee Valley Park West) is proposed for alienation and conversion (Figures 34 and 35). An additional 1.39 acres of City-

owned vacant land (the former canal and railroad right-of-way) adjacent to the parkland will also be utilized for the redevelopment project. The 1.38 acres of 6(f) dedicated parkland is comprised of approximately 0.68 acres of lawn area and 0.7 acres of paved roadway and sidewalks (South Plymouth Avenue). A 0.6 acre strip of land adjacent to the river is 6(f) dedicated parkland that contains the Genesee Riverway Trail and will remain as such (Figures 35 and ES-3Figures 35 and ES-3).

The primary recreational value of the conversion parkland and the adjacent open space is passive recreational. This occurs mainly as visual greenspace for motorists on South Plymouth Avenue, users of the Genesee Riverway Trail that pass adjacent to the proposed conversion parcel, and to a much more limited degree, to persons viewing the areas from the east bank of the river. The narrow linear configuration of conversion parcel, its terraced topography, its distance from the main park and its amenities, and its adjacency to the highly-traveled South Plymouth Avenue, render it less suitable for any other recreational activity other than visual.

With the creation of Genesee Valley Park along both the east and west sides of the river, Olmsted's design revealed the river's natural beauty and its potential as a recreational resource. The park plan included hiking paths, ball grounds, tennis grounds, gymnastic grounds, open meadows and wooded areas, as well as boat landings. Today the facilities at this 800-acre park include a golf course, softball, soccer and cricket fields, cross-country ski trails, picnic pavilions, and a recreation center with a gymnasium and ice rink. The river, which winds through the park, is used for boating and fishing. The University of Rochester also utilizes the river for their crew team. One of the largest high school cross-country running events in the country, the McQuaid Invitational, has been held in the park for 39 years. This annual event involves over 5,000 runners from 5 states and Canada.

A number of trails are located within Genesee Valley Park, including the Genesee Valley Greenway Trail, the Canalway Trail, and the Genesee Riverway Trail. The northern terminus (mile marker 0) of the Genesee Valley Greenway Trail occurs at the junction of the Erie Canal with the Genesee River, which is south of the project area. The Genesee Riverway Trail extends along both sides of the Genesee River north of the junction with the Erie Canal (Figures 12 and 13). It extends through the Brooks Landing project area along the west side of the river and continues to the north. The 0.6-acre portion of the Brooks Landing project that contains the Riverway trail is existing 6(f) parkland that will remain as 6(f) parkland (Figures 35 and ES-3).

In Sub-Area II, there is approximately 0.9 acres of open space (former canal and railroad right-of-way). The southern portion is currently used for overflow parking for the commercial establishments on Genesee Street. The east edge of this undeveloped right-of-way is bordered by a mature stand of hardwoods (that are not within the Urban Renewal District boundary). The west is bordered by the rear of the commercial structures on Genesee Street. In Sub-Area III, there is no parkland, open space, or recreational area.

The City of Rochester classified environmentally "sensitive" areas in the 1970's that were adopted as Chapter 48 of the City Code in 1978. These areas were later changed to correspond with the New York State Environmental Quality Review Act (SEQRA) designation as Critical Environmental Areas (CEA's). These areas are listed on the NYSDEC website under Critical

Environmental Areas of Monroe County with an effective date of March 14, 1986.[2] Since that time minor changes have been made to the definition of these areas in Chapter 48 of the City Code. The code currently includes the following as critical environmental areas:

(a) Land within 100 feet of the wall, bank or gorge of the Genesee River or of the high-water mark of Lake Ontario.

(b) Slopes and crests of the following glacial formations:

[1] Cobbs Hill.

[2] Pinnacle Hill

[3] The lesser hills, comprised of kames, kettles and eskers, generally located between the Conrail Railroad right-of-way on the west and Interstate Route 590 on the east, and generally situated north of Highland Avenue, encompassing Mount Hope Cemetery and Highland Park.

(c) Areas zoned as Open Space District.

(d) Any project area which is at least 50% covered by steep slopes of 15% or greater.

(e) Heavily wooded land, which shall be defined as an area of at least two acres with at least 50% of its area covered by a canopy of mature trees.

(f) Freshwater wetlands designated pursuant to Article 24 of the New York State Environmental Conservation Law.

(g) Areas designated as drainage systems on the Official Street Map.

(h) Floodplains.

Based on these definitions, Sub-Area I may be considered a CEA based on (a), (c) and (h) above.

Replacement Parcel

The replacement parcel for the conversion is located adjacent to and north of Turning Point Park along the Genesee River (Figures 46 and 47). It consists of 19.5 acres of undeveloped river shoreline. A CSX railroad and a residential neighborhood bound the land to the west and north (Appendix L). The property consists of approximately 3.1 acres of steep vegetated slopes, 7.5 acres of emergent wetland areas and 8.9 acres of open water wetlands along 3000 linear feet of shoreline. The Genesee Riverway Trail currently ends in Turning Point Park just south of the replacement parcel. Plans are being developed to extend the trail to the north through the replacement parcel to the O'Rorke Bridge and the Port of Rochester at Lake Ontario (Figure ES-1).

[2] See http://www.dec.state.ny.us/website/dcs/seqr/cea/ceamonroe.html

The replacement parcel is considered a Critical Environmental Area based on (a), (f) and (h) (see above).

3.2.8 Transportation

Conversion Parcel

The existing traffic conditions for the Brooks Landing area are documented in a traffic study conducted by Flint, Allen, White and Radley Consulting Engineers, P.C.[3] (Flint, Allen White & Radley Consulting Engineers, P.C., 1999). Excerpts of the study are included as Appendix J. The study presented the existing traffic conditions for six major streets located within the study area: South Plymouth Avenue, Genesee Street, Brooks Avenue, Genesee Park Boulevard, Scottsville Road and Elmwood Avenue. For existing traffic volumes, it utilized the 1998 Traffic Summary Report published by the Monroe County Department of Transportation (MCDOT, 1998).

A description of the existing transportation system in the immediate vicinity of the Brooks Landing project area, taken from portions of the report (Flint, Allen White & Radley Consulting Engineers, P.C., 1999) follows:

> *South Plymouth Avenue*
> *South Plymouth Avenue traverses north-south and is considered a principal arterial as reported by the City of Rochester (City). As recorded in the 1998 Traffic Summary Report, published by MCDOT, South Plymouth Avenue north of Brooks Avenue and north of Elmwood Avenue carries approximately 9,320 vehicles per day (vpd) and 10,849 vpd, respectively. Counts were recorded in 1995.*
>
> *In the vicinity of Brooks Avenue, South Plymouth Avenue consists of a curbed section with one travel lane in each direction, turn lanes at designated intersections and sidewalks on both sides of the street. The University of Rochester campus is linked to the Genesee Park area via the South River Corridor Pedestrian bridge, just north of Brooks Avenue. Within the study area, vehicular traffic as well as pedestrian traffic is controlled at Brooks Avenue and Elmwood Avenue by traffic signals. Pedestrian crossings are well defined. No parking is permitted within the study area. The posted City speed limit is 30 mph.*
>
> *Land use along South Plymouth Avenue, north of Brooks Avenue, is a mix of both commercial and residential uses. South of Brooks Avenue, South Plymouth Avenue runs along the Genesee River servicing a portion of Genesee Valley Park West. All of the residential streets west of Plymouth Avenue were previously terminated and there are no side street connections prior to reaching Elmwood Avenue.*

[3] The firm has subsequently been renamed as FRA Engineers.

Genesee Street

Genesee Street traverses north-south and is considered a minor arterial as reported by the City. As documented in the 1998 Traffic Summary Report, published by MCDOT, Genesee Street, north of Brooks Avenue carries approximately 10,835 vpd; south of Brooks Avenue carries 6,546 vpd; and north of Genesee Park Boulevard carries 5,350 vpd. Counts were recorded in 1990.

Genesee Street, from Genesee Park Boulevard to the north, consists of a curbed section with one travel lane in each direction and sidewalks on both sides of the street. Genesee Street, from Genesee Park Boulevard to Elmwood Avenue, consists of a curbed section with two lanes in each direction and sidewalks on both sides of the street. Within the study area, vehicular traffic as well as pedestrian traffic is controlled at Brooks Avenue, Genesee Park Boulevard and Elmwood Avenue by traffic signals. Pedestrian crossings are well defined. The posted City speed limit is 30 mph.

Land use along Genesee Street is a mix of both commercial and residential uses. The commercial land uses are primarily located between Brooks Avenue and Terrace Park.

Brooks Avenue

Brooks Avenue traverses east-west and is considered a minor arterial as reported by the City. As documented in the 1998 Traffic Summary Report, published by MCDOT, Brooks Avenue, west and east of Genesee Street carries approximately 16,724 vpd and 10,756 vpd, respectively. Counts were recorded in 1990 and 1995.

Brooks Avenue consists of a curbed section with one travel lane in each direction with left-turn lanes at Genesee Street and sidewalks on both sides of the street. Within the study area, vehicular traffic as well as pedestrian traffic is controlled at Genesee Street and South Plymouth Avenue by traffic signals. Pedestrian crossings are well defined. The posted City speed limit is 30 mph.

Land use along this section of Brooks Avenue is primarily commercial.

South Plymouth Avenue, Genesee Street, Brooks Avenue, Genesee Park Boulevard, Elmwood Avenue, and Scottsville Road are designated bus routes according to the Rochester-Genesee Regional Transportation Authority/Regional Transit Service. South Plymouth Avenue is used for travailing purposes for RTS bus routes 19, 18, 6, and 4. RTS bus routes 19, 12, and 4 use Genesee Street, with four RTS stops in the study area. RTS bus route 4 uses Brooks Avenue with two stops located in the study area. Genesee Park Boulevard is used by RTS bus route 4. Elmwood Avenue contains two RTS bus stops in the study area used by bus routes 19, 18, 12, and 4. Scottsville Road is used by RTS bus route 8, but no stops exist for this route in the study area.

Parking is prohibited on both sides of South Plymouth Avenue, Brooks Avenue, Elmwood Avenue, and Genesee Park Boulevard within the study area. Limited on-street parking is

allowed on Genesee Street including one hour parking between 8:00 AM to 7:00 PM. At the intersection clear zone of Genesee Street/Elmwood Avenue/Scottsville Road parking is prohibited. Genesee Street is signed as a Snow Emergency Route, at which times parking is restricted. On Scottsville Road parking is prohibited between the hours of 7:00 AM to 9:00 AM and from 4:00 PM to 6:00 PM. On-street parking will not be impacted from this project.

Transportation resources in the vicinity of the replacement parcel include the CSX railroad to the west and north. The US Army Corps of Engineers maintains a navigation channel for the Genesee River to the east of the turning basin. An extension of the Genesee Riverway Trail from its current terminus at Turning Point Park is proposed to be developed along the river's edge through the replacement property.

Replacement Parcel
There are no transportation services provided within the replacement parcel.

3.2.9 Energy

Conversion Parcel
Water service is provided to the Brooks Landing area by the City of Rochester. Natural gas and electricity is provided by Rochester Gas and Electric. There are no large consumers of energy resources in the project area. Motor vehicles also consume energy as they move through the area.

Replacement Parcel
There are no energy services provided within the replacement parcel.

3.2.10 Noise and Odor

Conversion Parcel
The ambient noise levels within the Brooks Landing area can be expected to be approximately 55 to 60 dBA (characteristic of daytime urban noise levels). There are no major sources of noise or objectionable odors in the project area. Figure 36 provides dBA levels in comparison to common outdoor and indoor sound levels.

Replacement Parcel
At the replacement parcel, the active CSX railroad line is the nearest source of noise and objectionable odors, followed by recreational or commercial motorcraft in the Genesee River.

3.2.11 Public Health

Conversion Parcel
Investigative activities conducted in the Brooks Landing Urban Renewal District (URD) have consisted of installation of test borings, monitoring wells, collection and laboratory analyses on soil and groundwater samples, geophysical surveys to evaluate the possible presence of buried storage tanks and associated piping, and excavation of test pits. Following is a summary of the studies and reports:

- Phase I Environmental Site Assessment, Five Parcels in the Brooks Landing URD (972, 998, 1004,& 1008 Genesee Street, & 15 Brooks Avenue), September 2002.
- Phase I Environmental Site Assessment, Twenty-three Parcels in the Brooks Landing URD (Sub-Area I), November 2002.
- Phase II Environmental Investigation Report, Five Parcels in the Brooks Landing URD, December 2002.
- Evaluation of Remedial Options and Opinion of Probable Costs, Five Parcels in the Brooks Landing URD, December, 2002.
- Corrective Action Plan (CAP), Five Parcels in the Brooks Landing URD, February 2003.
- Phase II Environmental Site Assessment, City-owned Parcels and Select Right-of-Ways within the Brooks Landing URD Sub-Areas I, II, and Ill, May 2003.
- Environmental Remediation Tasks Opinion of Probable Costs, Eastern Portion of Sub-Area I of the Brooks Landing URD, May 2003.
- Supplemental Site Visits and Letter Report, Brooks Landing URD, Genesee Street and Agnew Court, June 2003.
- Phase II Environmental Site Assessment, 8 Agnew Court, August 5, 2003.
- Soil and Groundwater Management Plan, Sub-Area I Brooks Landing URD, August 2003
- Draft Corrective Action Plan (CAP), Eastern Portion of Sub-Area I of the Brooks Landing URD, August 2003 (for parcels abutting the west bank of the Genesee River).

The investigative activities have detected the occurrence of impacted soil and groundwater within Sub-Area I of the Brooks Landing URD.

A Corrective Action Plan (CAP) dated August 2003 was developed for five Rochester Economic Development Corporation (REDCO) parcels, which comprise the northwest portion of Sub-Area I. These parcels consist of 972, 998, 1004 and 1008 Genesee Street and 15 Brooks Avenue. The remedial activities that were performed included the following tasks;

- Excavation and off-site disposal of volatile organic compound (VOC) impacted carbon fill;
- On-site treatment of VOC impacted groundwater using the application of Hydrogen Release Compounds (HRC ®) through trench excavations;
- Removal of floating residual petroleum product and former fuel supply piping;
- Listing the parcels in City of Rochester property information databases with a flagging notation that the parcels will require special environmental reviews for building and site preparation permit applications.

As of October 2003 the cleanup activity for these five parcels has substantially been completed. The major tasks in the plan as approved by the NYSDEC and the Monroe County Department of Health (MCDOH) have been completed, and cleanup goals have generally been met. A long term monitoring plan has been implemented for these five parcels and a closure report is being prepared.

A second CAP has been prepared to address the remaining portion of Sub-Area I, which comprises the dedicated 6(f) parkland conversion parcel within Genesee Valley Park West, located at 150 Elmwood Avenue, and adjacent City owned vacant land (former canal bed and railroad) located at 1315 South Plymouth Avenue. Investigative work has detected the presence of impacted soil and groundwater in this area. This CAP received NYSDEC approval on December 8, 2003.

Environmental Site Assessments (ESAs) have been conducted of the parcels that comprise Sub-Area II, the area northeast of Genesee Street and Brooks Avenue, and also of Sub-Area III, located to the northwest of Genesee Street and Brooks Avenue. This ESA has identified a variety of recognized environmental conditions in Sub-Areas II and III, including the presence of storage tanks, former gasoline stations, former automobile repair facilities, dry cleaners and leaking aboveground and underground storage tanks.

Replacement Parcel

A Hazardous Waste/Contaminated Materials Screening was conducted as part of an EA for the Genesee Riverway Trail Project extension from Turning Point Park north to the O'Rorke Bridge, which included the replacement parcel. The screening involved a site inspection/walkover, historical usage review and the review of local, state and federal environmental databases and files. Based on this screening, potential areas of concern in the vicinity of the replacement parcel include areas adjacent to railroad tracks which have a potential for residual contaminants. Also, the turning basin functions as a large settling pond for the river, which may contain a high level of heavy metals. Evidence supporting this concern that hazardous material containing high levels of mercury was uncovered during construction of the O'Rorke Bridge project about a mile downstream (north) of the basin (Sear-Brown, 2004).

3.2.12 Growth and Community Character

Conversion Parcel

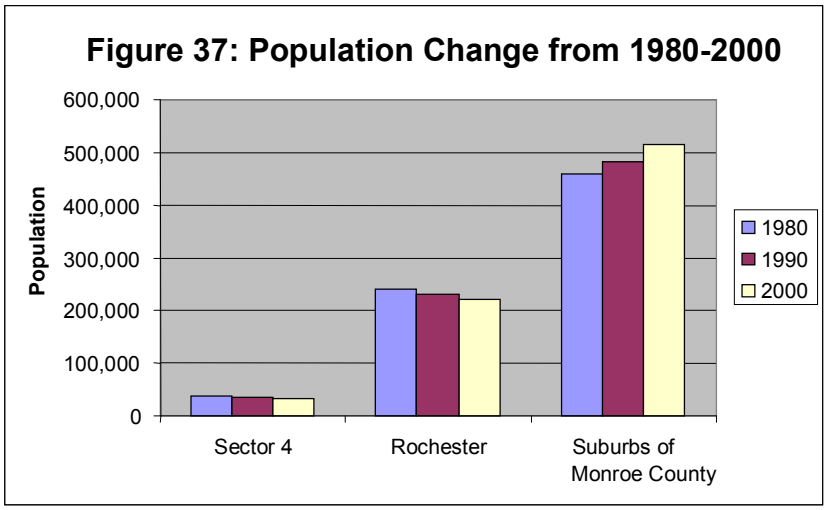
The Brooks/Genesee area is located on the west side of the Genesee River, in Sector 4 of the City of Rochester. Sector 4 is comprised of five neighborhoods including the 19th Ward, Change of the Scene (COTS), Neighborhood United, Plymouth-Exchange (PLEX) and South West Area Neighborhood (SWAN). The area is served by a number of important commercial corridors, including South Plymouth, Jefferson, Genesee, and Chili thoroughfares (Cornell University, 2003). It is a predominantly residential area that contains a wide array of housing types, including Craftsman-style bungalows, traditional row houses, garden-style apartments, public housing complexes, and townhouses. The Structural Archeological Assessment included as Appendix I provides pictures of the existing structures in the neighborhood.

Currently, Sector 4 is home to a large number of religious congregations, social service agencies, public and parochial schools, health care institutions, cultural organizations, and important public open spaces. Among the important institutions and cultural resources located within Sector 4 and its adjacent neighborhoods along the Southwest Genesee River Corridor are:

- The former St. Mary's Hospital site, where thousands of returning Civil War wounded were treated;
- The University of Rochester River Campus;
- The Strong Hospital and Medical Research Complex;
- The Genesee Valley Park, designed by Frederick Law Olmsted, the nation's most famous landscape architect and park designer.
- The A.M.E. Zion Memorial Church, which was Frederick Douglass's home church.

Community character can be defined as the qualities or features that distinguish a locale. The following demographic information provides a background of the Sector 4 community character through the presentation of data from the 1980, 1990 and 2000 U.S. Census data. This data was compiled and analyzed by Cornell University's Department of City and Regional Planning in the August 2003 "Lower Genesee Street Revitalization Strategy: A Comprehensive Redevelopment Plan.[4]"

Population. About 15% of the City's population resides in Sector 4, or 33,812 people. Between 1990 and 2000, the total population in Sector 4 declined 7.4%, down from 36,310 total persons. Figure 37 displays the population change between 1980 and 2000 in Sector 4, the City of Rochester and the suburban areas of Monroe County.

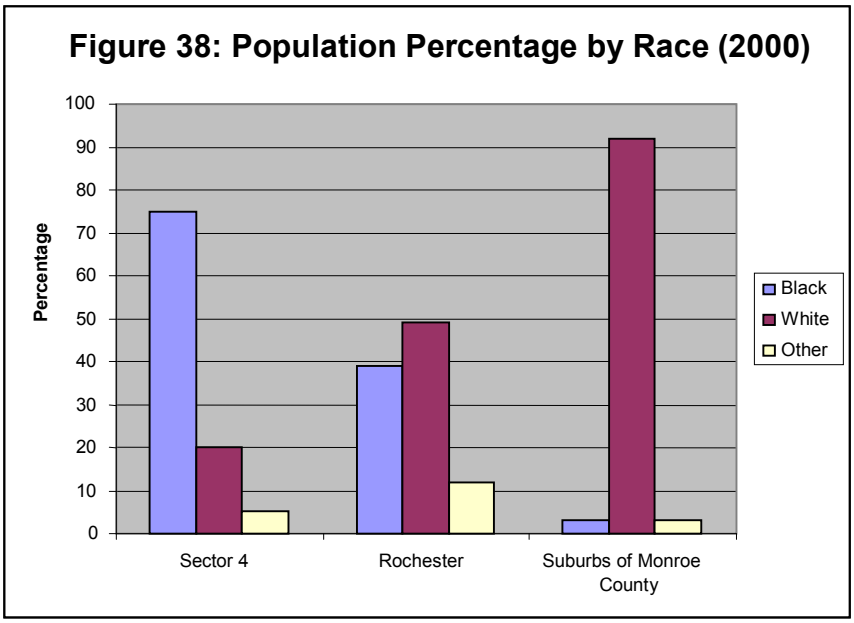


Source: 1980, 1990 and 2000 U.S. Census, SF1,
Accessed by Cornell University Department of City and Regional Planning

According to the U.S. Census, during the past twenty years, the percentage of Sector 4's African American population increased from 65% to 75% (see Figure 38). Cornell University's analysis suggests the shift in the district's racial composition was caused by the out-migration of white

[4] This plan can be accessed at www.crp.cornell.edu/dcrp.

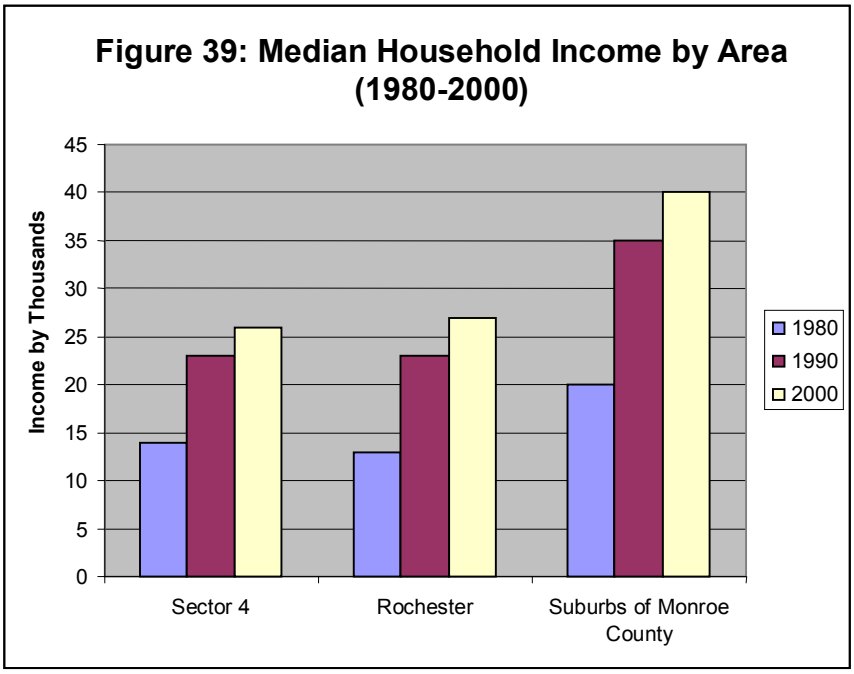
individuals and families rather than a major influx of African American individuals and families. In recent years, the area has also begun to attract significant numbers of Hispanic families. Between 1980 and 2000, the City of Rochester changed from being a predominantly white community into one in which the number of white and non-white residents are roughly equal. Again, this trend appears to be more the result of "white flight" than immigration. While the number of African Americans living in the suburbs of Monroe County continues to grow, this comprises a very modest portion of the region's suburban population.



Source: 2000 U.S. Census, SF3,
Accessed by Cornell University Department of City and Regional Planning

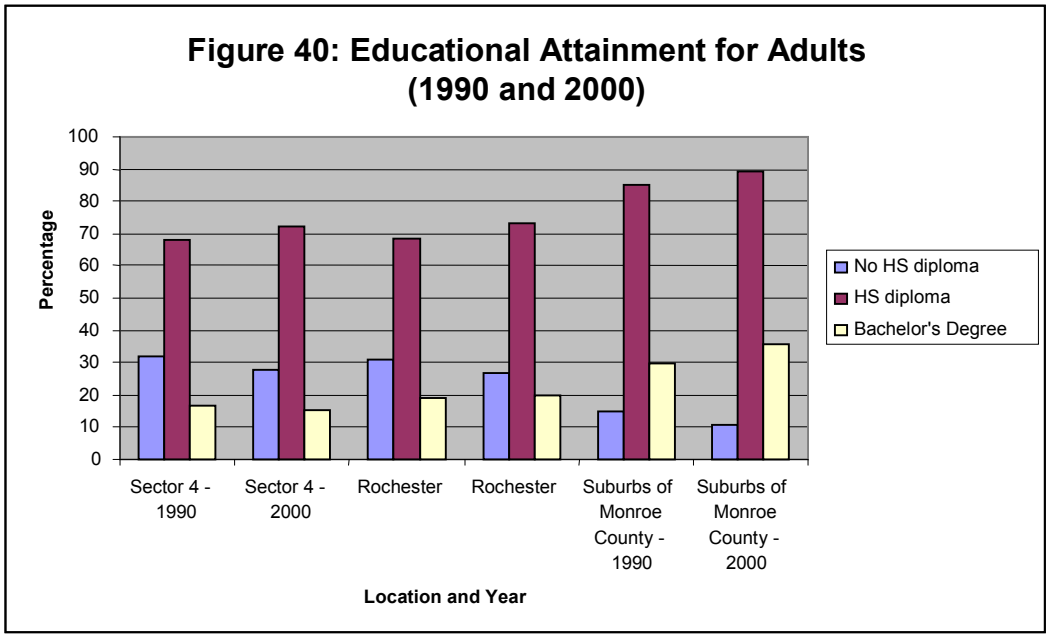
Between 1990 and 2000, the white population in Sector 4 declined almost by half (from 28.7% to 17.4%) whereas the black population increased slightly from 70.2% to 77.5%. While still a small portion of the total population of Sector 4, the Hispanic population between 1990 and 2000 almost doubled, from roughly 500 to 1000 persons residing in the sector.

Median Income. Figure 39 displays median household income in Sector 4. As shown, although Sector 4 residents' median income significantly increased between 1980 and 2000, Sector 4 households earn slightly less than the city median and much less than the county median. In 1980, the Sector 4 median household income was approximately 70% of the county level. By 2000, the median household income for Sector 4 was 65% of the county level. The percentage of families living below federally-established poverty levels has increased within the individual neighborhoods composing this sector. They have tended, over time, to be slightly lower than those of the city and considerably higher then those for the county.



Source: 1980, 1990 and 2000 U.S. Census, SF3,
Accessed by Cornell University Department of City and Regional Planning

Educational Attainment. Between 1990 and 2000, the percentage of Sector 4 residents over the age of 25 who have finished high school has increased, while the percentage that have attained their bachelor's degree has slightly decreased. Figure 40 displays the compared levels of educational attainment for Sector 4, the City of Rochester, and the Suburbs of Monroe County. While Sector 4 rates are similar to those of the city as a whole, the city education rates lag behind the suburban rates. Higher incomes, in combination with improved housing conditions, retail opportunities, municipal services, cultural assets, and school quality will help stabilize the individual neighborhoods comprising Sector 4. This will, in turn, increase the likelihood of a successful revitalization of the lower Genesee River Retail Corridor.

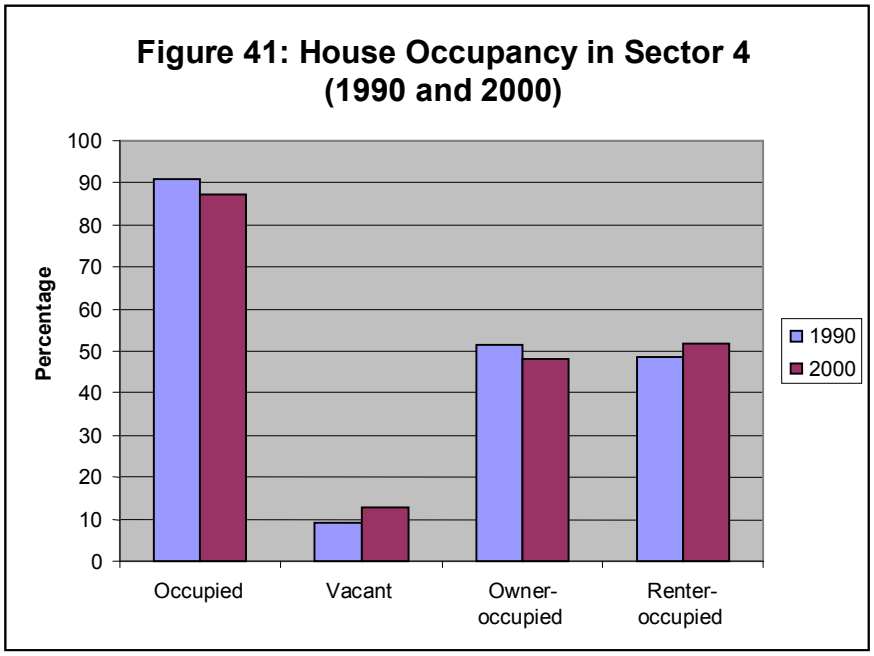


Source: 1990 and 2000 U.S. Census, SF3,
Accessed by Cornell University Department of City and Regional Planning

Housing. Housing is an important foundation for any community and it also provides an important tool for evaluating the vitality of a neighborhood. While people may come and go within a community, the local housing stock remains highly visible and virtually permanent for several generations. This section briefly identifies some of the basic and important housing trends of Rochester's Sector 4 neighborhoods.

According to the City of Rochester and the U.S. Census, Sector 4 lost 512 units from its total housing stock between 1990 and 2000 (Figure 41). Also within this period, the percentage of owner-occupied housing units dropped 5% from 6,963 owner-occupied units to 6,055. The majority (52%) of housing units are now renter-occupied, as a result of these shifts.

While the mass majority of residents in Sector 4 rent their housing, the percentage of housing which is vacant has actually increased slightly from 9% to 13% in the years between 1990 and 2000. In real figures, the number of vacant units increased from 1,356 to 1,835. While this statistic is not necessarily a large indicator of existing challenges, it does provide a window into some of the issues currently facing existing residents. Vacant housing can negatively impact a neighborhood by creating harbors for illicit activities and crime, and they can also be eyesores for local neighbors and visitors to the area. It is a commonly held belief that by keeping vacant housing to a minimum, the stability and vitality of a neighborhood can be dramatically improved.



Source: 1990 and 2000 U.S. Census, SF3,
Accessed by Cornell University Department of City and Regional Planning

Racial and Ethnic Minorities. The U.S. Census Bureau defines ethnicity or origin as the heritage, nationality group, lineage, or country of birth of the person or the person's parents or ancestors before their arrival in the United States.[5] People who identify their origin as Spanish, Hispanic, or Latino may be of any race. The federal Office of Management and Budget's (OMB) standards for data on race reflect social definitions recognized in the United States, and those definitions do not conform to any biological, anthropological or genetic criteria. According to revised OMB standards, race is considered a separate concept from Hispanic origin (ethnicity).

Racial Minorities. U.S. Census block data indicates that 55% of residents living in census blocks adjacent to Brooks Landing classified themselves as racial minorities. The percentage of non-white racial minorities affected by this project is higher than the percent of the state non-white racial minority population, which was 40% in 2000, and also Monroe County, which was 25% in 2000.

Hispanic Population. U.S. Census block data indicates that 3% of residents living in census blocks adjacent to Brooks Landing classified themselves as Hispanic or Latino. The percentage of Hispanic or Latino individuals affected by this project is lower than the percent of the state Hispanic and Latino population, which was 15% in 2000, and also Monroe County, which was 5% in 2000.

Low-Income Households. Just under 18% of households in the project area were considered low-income households in 1999. To compare, the percent of low-income households in 2000 was

[5] http://www.bayareacensus.ca.gov/faq.htm#q4

near 30% in New York State and over 27% in Monroe County.[6] The percent of low-income households in the project area is lower than the State and County averages.

Replacement Parcel

The replacement parcel is located in Sector 1 in the City of Rochester. According to the 2000 U.S. Census, approximately 4% of the City's population resided in Sector 1, or 8,829 people. Between 1990 and 2000, the total population in Sector 1 increased .8%, up from 8,758 total persons. Sector 1 is 90% White, 5.2% Black, and .4% American Indian, Alaska Native, and .7% Asian.

Table 3-2: Population by Race, Sector 1, 2000	
White alone	90.20%
Black or African American alone	5.20%
American Indian and Alaska Native alone	0.40%
Asian alone	0.70%
Native Hawaiian and Other Pacific Islander alone	0.00%
Some other race alone	1.80%
Two or more races	1.80%

Between 1989 and 1999, Sector 1 median household income increased by 5.4%. The median income of Sector 1 households was higher than the City of Rochester median income in 1999, but lower than Monroe County.

Between 1990 and 2000, the percentage of Sector 1 residents over the age of 25 who have finished high school decreased by 9%, while the percentage that have attained their bachelor's degree increased by 14.4%. This data is presented in Table 3-3.

Table 3-3: Sector 1 Educational Attainment of Residents 25 years and older			
Education Level	**1990**	**2000**	**Percent Change**
No High School	498	452	-9.2%
Some High School	1025	743	-27.5%
High school graduate (includes equivalency)	2458	2238	-9.0%
Some college, 1 or more years, no degree	1232	789	-36.0%
Associate degree	762	621	-18.5%
Bachelor's degree	658	753	14.4%
Graduate degree	291	290	-0.3%

According to the City of Rochester and the U.S. Census, Sector 1 gained 275 housing units from its total housing stock between 1990 and 2000 (Table 3-3). Also within this period, the percentage of owner-occupied housing units dropped 3.3% from 2,256 owner-occupied units to 2,272. However, the majority (53.3%) of housing units in Sector 1 are owner-occupied.

[6] This data is not directly comparable. Low-income thresholds are determined by HUD based on the metropolitan statistical area boundary. For the Rochester MSA, this threshold was a household income of $26,950 in 1999. Using U.S. Census data Table P52, it was determined that 29.54% of New York State residents and 27.18% of Monroe County residents earned less than $24,999 in 1999.

Table 3-4: Housing Occupancy, Sector 1, 1990 and 2000			
	1990	**2000**	**Percent Change**
Owner occupied	2,256	2,272	0.7%
Renter occupied	1,530	1,759	15.0%
Vacant Units	199	229	15.1%
Total	**3,985**	**4,260**	6.9%

While the majority of residents in Sector 1 own their housing, the percentage of housing which is vacant has actually increased slightly from 5% to 5.4% in the years between 1990 and 2000. In real figures, the number of vacant units increased from 199 to 229.

Racial Minorities. U.S. Census block data indicates that 10% of residents living in census blocks adjacent to the replacement parcel classified themselves as racial minorities. The percentage of non-white racial minorities affected by this project is lower than the percent of the state non-white racial minority population, which was 40% in 2000, and also Monroe County, which was 25% in 2000.

Hispanic Population. U.S. Census block data indicates that 4% of residents living in census blocks adjacent to the replacement parcel classified themselves as Hispanic or Latino. The percentage of Hispanic or Latino individuals affected by this project is lower than the percent of the state Hispanic and Latino population, which was 15% in 2000, and also Monroe County, which was 5% in 2000.

Low-Income Households. Just under 17% of households near the replacement parcel were considered low-income households in 1999. To compare, the percent of low-income households in 2000 was near 30% in New York State and over 27% in Monroe County. The percent of low-income households in the project area is lower than the State and County averages.